REMARKS

Claims 1-16 and 18 are pending in this application. Claims 1-16 and 18 stand rejected. By this Amendment, claims 1 and 15 have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicants respectfully submit that each of the pending claims is in immediate condition for allowance.

Claims 1 and 14-18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection. Claims 1 and 18 are directed to a method for determining purchasing amounts of respective financial products among a plurality of financial products so as to optimize and objective function comprising inputting constraint parameters and maximizing the objective function on the basis of the input data. Further, Applicants note that the claim now explicitly recites processing divided into condensation and rarefaction structures. Thus, withdrawal of the rejection under 35 U.S.C. § 112 is requested.

Claims 1 and 18 stand rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicants respectfully submit that the claimed optimal portfolio determining method comes within the scope of 35 U.S.C. § 101 because the claimed invention is directed to a statutory process. Under 35 U.S.C. § 101, a claim must satisfy the useful, concrete, and tangible result requirement. Because claims 1 and 18 satisfy the useful, concrete, and tangible result requirements, claims 1 and 18 satisfy 35 U.S.C. § 101 and the rejection must be withdrawn.

Claims 1-14, 15, and 18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,493,682 ("Horrigan"). Applicants respectfully traverse this rejection.

Claims 1 and 15 explicitly recite "into condensation and rarefaction structures." This limitation is not present in Horrigan.

Horrigan discloses a formulation model or optimal portfolio determining model which optimizes orders of securities in consideration of prospective return for the securities, anticipated coefficient of fluctuation, preference measure of risk aversion, target return and risk. However, the cited reference fails to disclose or teach the constraint expression defined in claims, which needs to construct the optimal portfolio.

The installation of the constraint expression to a portfolio system is essential to deal with the increased orders in real time. In this invention, the coefficient matrixes of a constraint expression and an objective function are calculated separately based on the condensation and rarefaction structures (completely fine portion/relatively coarse portion/a portion where factors appears in diagonal part/a portion where no factor appears).

Thus, because the explicitly recited limitations are not present in Horrigan, the rejection under 35 U.S.C. § 102(e) must be withdrawn and the present claims passed to issue.

Applicants have responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: February 11, 2008   Respectfully submitted,

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